

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2008-137-C - ORDER NO. 2009-99  
FEBRUARY 17, 2009

IN RE: Complaint of Dr. Earl O. Graham v.	) ORDER DISMISSING
BellSouth Telecommunications, Inc. d/b/a	) COMPLAINT AND
AT&T South Carolina	) CLOSING DOCKET

This matter before the Public Service Commission of South Carolina ("Commission") initially arose on an April 1, 2008 filing by Dr. Earl O. Graham ("Complainant"), a customer of BellSouth Telecommunications, Inc. d/b/a AT&T South Carolina ("AT&T"), setting forth a complaint against AT&T. Due to medical issues of the Complainant, the Hearing Officer for this docket issued a directive on June 16, 2008, holding the complaint proceeding in abeyance until such time as a conference call could be held by the parties regarding the status of the proceeding. The conference call scheduled for June 24, 2008, never transpired between the parties; however, the Complainant communicated to AT&T and the Hearing Officer that he desired for the docket to be suspended until he was able to go forward with his complaint. Given that, AT&T filed on July 9, 2008, a Motion for Status Conference to discuss with all parties how best to proceed with this docket. The Commission issued its ruling, Order No. 2008-542, on August 7, 2008, in regard to the Complainant's request for suspension of the docket and AT&T's Motion for Status Conference.

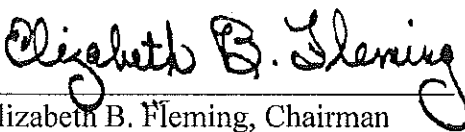
By Order No. 2008-542, the Commission ruled that the complaint proceeding remain in abeyance for six months from the date of Order No. 2008-542 (August 7, 2008)

to allow the Complainant the allotted time in which to notify the parties and the Commission of when he would be able to proceed with the case. Further, Order No. 2008-542 informed the Complainant that if he failed to file a response at the end of the six months period, the complaint would be dismissed.

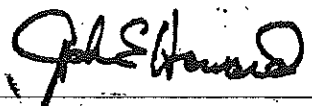
To date, the Complainant has failed to file any response relative to his intent to pursue his complaint. As the Complainant has had ample opportunity to notify the parties and the Commission of his intent, but has failed to do so, the Commission finds that the complaint should be dismissed and the docket closed. Accordingly, the complaint of Dr. Earl O. Graham filed against BellSouth Telecommunications, Inc. d/b/a AT&T South Carolina is hereby dismissed and Docket No. 2008-137-C is closed.

This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:

  
Elizabeth B. Fleming, Chairman

ATTEST:

  
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John E. Howard, Vice Chairman  
(SEAL)